

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 7: Rio Brazos

Subfile No. CHRB-005-0019

MOTION TO AMEND DEFAULT ORDER

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to amend the Order Granting Default Judgment entered in connection with defendant Pedro Romero and subfile CHRB-005-0019 on September 20, 2006 (Docket No. 8379) and as grounds therefore Plaintiff states as follows:

1. On September 20, 2006 the Court granted the State's motion for default judgment in connection with defendant Pedro Romero and subfile CHRB-005-0019, and entered a default order that recognized irrigation water rights on 3.8 acres of land, as shown in the original hydrographic survey and associated mapping. The hydrographic survey division has substantially revised the mapping in this area after receiving survey plates showing surveyed tract boundaries, and after checking those boundaries and surveys in the field. As a result of these revisions, the north boundary of the irrigated lands mapped under subfile CHRB-005-0019 should be adjusted southward, and the amount of irrigated acreage should be revised to 3.4 acres rather than 3.8 acres as described in the original hydrographic survey and in the default order entered on September 20, 2006.

2. A corrected map showing the location and amount of the irrigated acreage under subfile CHRB-005-0019 is attached hereto as Exhibit 1.

WHEREFORE, the Plaintiff State of New Mexico requests the Court to amend the default order entered on September 20, 2006 in subfile CHRB-005-0019, and revise the amount and location of irrigated acreage as shown in Exhibit 1 attached hereto.

Respectfully submitted,

/s/ Ed Newville
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 25th day of July, 2008 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Pedro Romero
P.O. Box 2043
Las Vegas, NM 87701

/s/ Ed Newville
EDWARD G. NEWVILLE